

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF PARTNERSHIP COMMITTEE HELD ON THURSDAY
17 OCTOBER 2024 AT 9.30AM IN JAMES HOUSE**

PRESENT: Mr Peter McReynolds MLA (Committee Chair)
Dr Kate Lavery (Committee Vice Chair)
Mrs Linda Dillon MLA
(1) Mrs Cheryl Brownlee MLA
Mr Keith Buchanan MLA
Mr Cathal Boylan MLA*
Mrs Marian Cree

EX OFFICIO MEMBERS IN ATTENDANCE: Mr Mukesh Sharma (Board Chair)

OTHER OFFICIALS IN ATTENDANCE (2) Mr John Wadham* (NIPB Human Rights Advisor)

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE: (3) Chief Superintendent Stephen Murray
(3) T/Chief Superintendent Sue-Ann Steen
one PSNI official

NORTHERN IRELAND POLICING BOARD OFFICIALS IN ATTENDANCE: Mrs Sinead Simpson, Chief Executive*
Ms Jenny Passmore, Director of Partnership
Five Board Officials

(1) From 9.45am

(2) Item 6.3 only

(3) Items 6.1 and 6.2 only

* Attended meeting by video conference facility

1. APOLOGIES

Apologies were received from Mr Tommy O'Reilly and Mr Patrick Nelson.

The Committee agreed the agenda for the meeting and the Partnership Manager indicated she had two items of business she wished to raise at agenda item 9 under 'Any Other Business'.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2024

The Committee considered the draft minutes of the Committee meeting held on 19 September 2024.

It was **RESOLVED** that:

- The minutes of the Committee meeting held on 19 September 2024 be approved.

4. UPDATE ON ACTION LOG

The Committee **NOTED** the updates and correspondence detailed within the Action Log and the related verbal overview provided by the Director of Partnership.

In relation to Action Point 1 from the meeting on 19 September 2024 regarding inviting Community Restorative Justice (CRJ) to attend a future meeting of the Committee to discuss their recent survey on the PSNI South Armagh Review - Three Years On, some Members raised concerns that a meeting of this nature might set a precedent for other external groups to lobby for the opportunity to present to the Committee. Given the significance of this important piece of work that was previously monitored by the committee, it was suggested that perhaps an informal briefing session outside of the Committee setting may be more appropriate. Following discussion, it was **AGREED** to request a copy of the survey in the first instance and then decide upon next steps. **(AP1)**

In relation to Action Point 2 from the meeting on 19 September 2024 regarding requesting further detail from the PSNI on the legal advice they obtained in respect of call handlers involved in the Right Care Right Person initiative, the Director of Partnership noted that a letter had been sent to PSNI on 25 September 2024 and a reply is awaited.

Members confirmed they were content to close Action Points 3-5 from the meeting on 19 September 2024 which related to sending the PCSP Impartial Assessor's Report to the Minister of Justice, issuing a letter of response to NI Housing Executive regarding the public consultation on their 2025-2030 Community Safety Strategy and seeking Board approval for the updated Partnership Committee Terms of Reference respectively.

5. CHAIRPERSON'S BUSINESS

The Committee **NOTED** the updates and related verbal overview provided in respect of the following agenda items.

5.1 Correspondence from the Minister of Justice to the Board Chair re Right Care Right Person

The Chair asked Members to note the correspondence received from the Minister of Justice to the Board Chair in relation to his letter of 8 July 2024 regarding the Right Care Right Person initiative. The Chair highlighted the Minister's support for the initiative in relation to how it can operate to help free up police officers to focus on policing duties.

A Member also advised that the Justice and Health Committees have arranged a joint meeting on 7 November 2024 to discuss the initiative.

Members **NOTED** the correspondence.

5.2 PSNI written response to question from September Committee meeting in respect of Victims of Crime

Members **NOTED** the response provided by PSNI to a question raised by a Member at the September Committee meeting in relation to Victims of Crime.

6. ITEMS FOR COMMITTEE BUSINESS

Before PSNI joined the meeting Board officials provided Members with an overview of agenda items 6.1 and 6.2 (Policing Plan Measure 3.1.3 and progress made against the CJINI recommendations from their recent report on Community Safety and Local Policing Arrangements respectively).

In respect of item 6.1, in addition to Policing Plan Measure 3.1.3 the Police Performance Manager advised the Community Policing Survey 2024 was conducted from 8 April – 30 June 2024 as a regional survey as a tool to assist in assessing this measure and noted the results of the Survey are attached at Annex C of the meeting papers.

6.1 Performance Plan Measure – 3.1.3 Impact, including the results of the Community Policing Survey

The Committee welcomed Chief Superintendent Stephen Murray and T/Chief Superintendent Sue-Ann Steen to the meeting.

T/Chief Superintendent Steen provided Members with an overview of Op TENUIOUS (the police response to hate incidents in the Ballycraigie estate and Antrim area) as outlined on the PSNI report card at Annex A of the meeting papers. T/Chief Superintendent Steen explained the background to the investigation, noting the housing estate in Co. Antrim has been the focus of significant tensions in recent months, largely owing to sectarian and racist

incidents. T/Chief Superintendent Steen advised the rise in reported incidents to police began in May 2024 and was sustained until mid-July 2024. T/Chief Superintendent Steen outlined the nature of the incidents, the ethnicity of victims targeted in the attacks and noted the investigation is still ongoing and community intelligence is being gathered.

T/Chief Superintendent Steen outlined the police response to the situation, noting the actions and approach taken to ensure community cohesion and the resources deployed across both Neighbourhood and Local Policing Teams to managing community tensions.

T/Chief Superintendent Steen advised that feedback received from the local community in relation to the increased police presence and engagement was very positive, with the majority of the community condemning the events that were taking place. T/Chief Superintendent Steen reported the increase in police presence, along with the engagement work that had taken place, saw a reduction in incidents with no further incidents having been reported in the Ballycraigy estate since early July 2024, a reduction in overall hate orientated crimes in the wider area and an overall stabilisation of racial tensions.

T/Chief Superintendent Steen noted the report card also highlights positive examples of the impact of partnership working with local communities in the Ards & North Down and the Newry, Mourne and Down areas.

Following the briefing Members raised the following with PSNI:

- What work is taking place within communities to reassure people and make them feel safe;
- If Community Groups were invited to/attended the recent REaL event on hate crime, noting that some community leaders did attend the event;

- Any planned prevention work/local initiatives to combat the level of drug use in communities given that drugs were listed as the second highest problem in communities as per the results of the 2024 Community Policing Survey, noting that drugs are a high priority for all communities and the PSNI are continuing to work collaboratively with key partners to try and combat this;
- The need to provide more quantifiable impact data for this policing plan measure;
- The need to “shake off” the perception that hate crimes only concern race and ethnic minority groups and the importance of highlighting that hate crimes are prevalent across a range of other groups for example with regard to disability, sexual orientation and religion; and
- The need for a consistent approach when dealing with victims of hate crime and ensuring the same services are offered to all.

Following a question from a Member, T/Chief Superintendent Steen agreed to revert to the Member on the policing response to a hate crime incident in the Carrickfergus area.

Following PSNI leaving the room after agenda item 6.2, the Committee **AGREED** to make a recommendation to the Board to approve the Community Policing Survey for publication.

6.2 PSNI Update on CJINI recommendations on Community Safety and Local Policing Arrangements

The Chair invited Chief Superintendent Murray to present PSNI’s update on progress towards implementation of the recommendations made by Criminal Justice Inspection NI (CJINI) in their report on Community Safety and Local Policing Arrangements which was published in March 2024.

Chief Superintendent Murray noted that in the report, CJINI made one

strategic and eight operational recommendations and advised the Department of Justice (DoJ) are responsible for implementing the strategic recommendation and the first two operational recommendations, whilst responsibility for the implementation of the remaining six operational recommendations lies with PSNI. Chief Superintendent Murray noted of those six recommendations, three are to be implemented within 3 months, two within 6 months and the other within 9 months.

Chief Superintendent Murray provided an update on work undertaken since the previous update to the Committee in May 2024 on each recommendation and noted that of those six recommendations, recommendations four and five have been discharged and recommendations three and seven are on schedule to be discharged within the timescales. Chief Superintendent Murray noted however, recommendations 6 and 8 are proving more challenging to achieve within the timescales and advised work is ongoing to progress them.

During discussion Members raised the following with PSNI:

- Mechanisms/IT solutions to ensure key data is captured, particularly qualitative data;
- How Community Impact Assessments work in practice, and what decision-making factors are taken into account when deciding how to police an event;
- The need for more engagement with local communities in relation to the resource levels required at particular events;
- Plans to increase social media engagement; and
- Consideration of the use of a Data Scientist, as well as Data Analysts or statisticians.

The Chair thanked Chief Superintendent Murray and T/Chief Superintendent Steen for their briefing and they left the meeting.

Members **NOTED** the update provided.

6.3 Independent Custody Visitor Access to Custody Records

The Engagement Manager presented a paper and a PowerPoint presentation which provided Members with an update regarding implementation issues currently being experienced by the Independent Custody Visiting (ICV) Scheme. The Engagement Manager advised there are two ongoing issues, the first of which, relates to ICVs being permitted by PSNI to review the custody records of those detainees who are unavailable and/or unable to give consent. The second issue is specific to detainees held under the Terrorism Act (2000) (TACT) and relates to ICVs being able to access/view interviews.

The Engagement Manager outlined the background to the scheme, noting the role and purpose of the ICVs which involves making unannounced visits to Police Custody in order to check the rights, health and wellbeing of detained persons and having the ability to view custody records for individuals who are being held in police custody. This function enables ICVs to check the information detailed on the custody record against what they have been told by the detainee. In addition, reviewing the custody record allows ICVs to verify that the detainee has been afforded their rights and entitlements as detailed under the applicable Police and Criminal Evidence (PACE) Codes.

The Engagement Manager advised that in June 2024 the Board started to receive feedback that ICVs were being refused access to custody records by PSNI, predominately in instances where the detainee was unavailable or unable to provide direct consent. The Engagement Manager noted there are generally three scenarios by which ICVs would be unable to seek consent directly from the detained person. These include:

- detainees who may be asleep;
- detainees affected by drink or drugs or who are particularly vulnerable (i.e. suffering from mental health or learning difficulties)
- detainees who are being interviewed, with their solicitor and/or with the Health Care Professional (HCP).

The Engagement Manager outlined the legislative provisions for the Scheme, noting they are stipulated under Section 73 of the Police (NI) Act 2000 and state that the confer of power from the Board to ICVs relating to the examination of records can only be actioned with the consent of the detainee (subsections 4(b) and 5). The Engagement Manager noted that the NI legislation has not been amended since it was enacted in 2000 and acknowledged that this consent requirement is unique to NI and not incorporated within the associated legislation for England, Scotland and Wales.

The Engagement Manager highlighted two pieces of more recent legislation which have direct relevance to the delivery of the ICV scheme, namely:

- 1) The 2003 ratification of the United Nations Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) by the UK Government; and
- 2) The Data Protection Act/GDPR 2018

The Engagement Manager noted two specific exemptions under GDPR legislation that allow for access to information without the need for direct consent. It was noted that Board officials are of the opinion that these exemptions are applicable for the purposes of the Board's statutory duty to deliver the ICV scheme.

The Engagement Manager advised that since becoming aware of this issue

Board officials and the Board's Human Rights Advisor have met with PSNI Custody Leads to try and ascertain a resolution. Subsequently, PSNI advised the Board of an interim direction in place whereby, until a resolution has been identified, ICVs will only be given access to custody records for those detainees who have given ICVs explicit consent to do so. The Board have also sought legal advice from Crown Solicitors Office (CSO) on the issue and are currently awaiting a response.

In relation to the issue regarding those detainees held under TACT, the Engagement Manager noted the current provision is that ICVs have the ability to observe live TACT interviews with the consent of the detained person (Patten Report, Recommendation 64). However, due to a reluctance by TACT detainees to give consent for an ICV visit the process was changed to allow ICVs to "self-introduce". The Engagement Manager advised, in light of this change, the requirement for consent to observe live interviews is not easily obtained and could require disruption to investigative processes specifically interviews. Subsequently, following liaison with PSNI, a new process was proposed and agreed whereby, ICVs will conduct their visits to TACT detainees as per the current guidance, including self-introduction. If any concerns are raised by the detainee with regard to any interviews carried out, the ICVs may request that they are given access to audio or video recordings of the interview(s) retrospectively.

The Engagement Manager confirmed this revised procedure has now been incorporated within the current draft of the ICV Handbook which will be finalised and published once a resolution to the custody record issue has been identified.

Following the presentation Members discussed:

- The importance and the benefits of viewing custody records;
- The need to urgently address and resolve the issue;

- Alternative means of resolution if the legislation is unable to be amended; and
- If there has been an increase in the number of complaints received in relation to not being able to access custody records, noting it is too early to determine at this stage, however Board officials are monitoring how consistently this approach is being applied across all custody suites.

Members **NOTED** the update provided.

6.4 Annual Volunteer Conference 2024

The Engagement Manager presented a paper which provided Members with an update in relation to the upcoming Annual Volunteer Conference for 2024 which is scheduled for 15 November 2024 at the Dunadry Hotel, Antrim.

The Engagement Manager provided background information to the scheme, noting that the Annual Volunteer Conference provides an opportunity for all of the Boards volunteers (across both the Independent Custody Visitor and Independent Custody Observer schemes) to come together, to share learning, good practice and network. In addition, it provides the Board with an opportunity to show its appreciation and recognition to all volunteers for their ongoing diligence and commitment in carrying out their role.

The Engagement Manager highlighted the draft agenda for the conference, noting key speakers and indicative timings for the day. The Engagement Manager advised that invitations to all Members had been issued and encouraged all Members to attend to show their support.

Members **NOTED** the update provided.

6.5 National Driver Offender Retraining Scheme Fees

The Director of Partnership presented a paper which noted that it had recently been brought to the attention of the Board that when legislation came into effect in October 2022 stipulating that “*The Chief Constable may charge a fee for enrolment on an approved course offered as an alternative to prosecution for a specified fixed penalty offence*” there was a legislative requirement for PSNI to have sought Board approval to levy this fee.

The Director of Partnership advised the National Driver Offender Retraining Scheme (NDORS) is offered to those drivers who have committed a road traffic offence as an alternative to prosecution. NDORS was put on a statutory footing in the Police, Crime Sentencing and Courts Act 2022 (‘the 2022 Act’) which commenced on 26 October 2022, however due to an oversight PSNI did not seek Board approval at this time.

The Director of Partnership advised PSNI have confirmed that the fees charged cover the costs of the approved courses and related administrative expenses, the fees are in line with England and Wales and the NI Road Safety Partnership has no plans to alter the fees at this time.

Following discussion, Members **AGREED** to make a recommendation to the Board that retrospective approval is provided. The Director of Partnership to write to PSNI to advise of the Board decision following the November Board meeting. **(AP2)**

6.6 Problem Solving in Partnership Awards

The Engagement Manager presented a paper which provided Members with an overview of the Problem-Solving Awards 2025, including the indicative timeline. The Engagement Manager noted the PSNI Problem Solving Awards were first held in October 2022 to recognise and celebrate

innovative crime fighting projects where the police, community and external partners successfully work together to make a difference in communities. They are also an opportunity to highlight and recognise excellence and best practice in relation to PSNI Business Support (staff).

The Engagement Manager advised that applications for the Problem Solving in Partnership Awards 2025 launched on 4 September 2024 and can be submitted across five categories namely:

- Delivering for communities
- Partners
- Serious Crimes & Investigations
- Enhancing Service Delivery
- Policing and Community Safety Partnerships (PCSPs)

The Engagement Manager noted that PCSP category, which was introduced in 2024, has been retained for the 2025 awards. The Engagement Manager advised that the Chair of the Partnership Committee has agreed to be the Board representative on the judging panel for this year's awards, and similar to the 2024 awards, the awards ceremony for 2025 will be delivered by PSNI in partnership with the Board and will be held at the Harbour Commissioners Office, Belfast on 19 February 2025.

The Engagement Manager noted the indicative timeline for the event, noting that the deadline for submission of applications is 8 November 2024. The Engagement Manager noted that as the awards will be jointly delivered with PSNI, Board officials are seeking Members approval to provide a financial contribution of up to £2,500 towards the delivery of this event.

Following discussion, Members **AGREED** to provide a financial contribution of up to £2,500 towards the delivery of this event and **NOTED** the update provided.

7. QUESTIONS FOR THE CHIEF CONSTABLE

None.

8. COMMUNICATIONS ISSUES / OPPORTUNITIES

No other communication issues were raised.

9. ANY OTHER BUSINESS

The Partnership Manager advised she recently met with the Chief Superintendent of Local Policing on a number of issues. The Partnership Manager advised that she discussed with him the roll out of the Policing Committee training for PCSPs. The Partnership Manager advised the Chief Superintendent of Local Policing pledged his support for the training and gave an assurance that it will be mandatory for all Area and District Commanders to be involved. The Partnership Manager outlined the format and structure of the training and confirmed dates for 3 regional sessions and noted the date for 1 session has still to be confirmed. All Members were encouraged to attend these events to help highlight the more strategic role of the PCSPs.

The Partnership Manager advised that another issue discussed at the meeting was the proposed amendment to the Police Property Fund, Large Grants Scheme application form. The Partnership Manager noted that under the PSNI Engagement section of the application form it had previously been suggested that the PSNI officer involved with the project during the planning stages would be required to sign the application form to confirm this, however following issues raised by Members at last month's Committee meeting and also with the Local Policing Chief Superintendent it was proposed that the PSNI officer would be named on the application form,

although they wouldn't be required to sign it. Board Officials can then carry out due diligence checks and verify their identity.

Members **AGREED** they were content with this approach.

The Chair congratulated the Partnership Manager on her recent promotion to Director of Police Pensions & Injury Benefits and all Members thanked her for her invaluable help and support during their time as Members of Partnership Committee and wished her well in her new role.

10. DATE OF NEXT MEETING

The next meeting is scheduled for **Thursday 21 November 2024** at 9.30am in James House.

The meeting ended at 11.50am

CHAIR

**PARTNERSHIP DIRECTORATE
OCTOBER 2024**